

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

IN RE: AMERICAN MEDICAL SYSTEMS, INC.
PELVIC REPAIR SYSTEM PRODUCTS
LIABILITY LITIGATION

MDL No. 2325

THIS DOCUMENT RELATES TO THE UNRESOLVED CASES IN THE AMS MDL,
MDL 2325, IDENTIFIED ON THE ATTACHED EXHIBITS A, B, and C

PRETRIAL ORDER # 268
(Order Re: Mandatory Settlement Conference for Certain Unresolved Cases
December 5, 6 and 7, 2018)

Pursuant to Pretrial Order (“PTO”) # 265, counsel recently provided a joint written report to the court identifying those cases with claims against American Medical Systems, Inc. or Astora Women’s Health, LLC (as successor in interest to American Medical Systems, Inc.’s women’s health business) (collectively, “AMS”)¹ that remain in the AMS MDL despite good faith discussions contemplated in PTO # 265 over the past several weeks. In PTO # 265, I stated that by today, I would enter an order identifying the cases wherein a mandatory settlement conference will be conducted “December 5, 6, or 7, 2018 or such other date as set by the Court.” PTO # 265, p. 2. Upon consideration of the written report submitted to the court and for the convenience of the parties, counsel and the court, it is **ORDERED** that the settlement conferences will be conducted as follows:

¹ AMS includes any incorrect or incomplete spellings of American Medical Systems, Inc. or Astora Women’s Health, LLC, as well as any improperly named successors or parent or affiliated companies, including but not limited to Astora Holdings, LLC, Astora Women’s Health Holdings, LLC, and Astora Women’s Health Holdings, Inc.

1. For the cases identified on Exhibit A, attached hereto, the court will conduct a mandatory settlement conference in those cases beginning on **December 5, 2018, at 9:00 a.m.** in room 6200B and continuing from day-to-day thereafter.
2. For the cases identified on Exhibit B, attached hereto, the court will conduct a mandatory settlement conference in those cases beginning on **December 6, 2018, at 9:00 a.m.** in room 6200B and continuing from day-to-day thereafter.
3. For the cases identified on Exhibit C, attached hereto, the court will conduct a mandatory settlement conference in those cases beginning on **December 7, 2018, at 9:00 a.m.** in room 6200B and continuing from day-to-day thereafter.

It is further **ORDERED** that (1) individual plaintiffs whose cases are scheduled for a settlement conference shall appear in person for the settlement conference with counsel of record as reflected on the docket sheet for that plaintiff's case; and (2) any plaintiff who fails to comply with this PTO may be subject to a substantial sanction, including dismissal with prejudice.

The Court **DIRECTS** the Clerk to file a copy of this order in 2:12-md-2325 **and in the cases identified on Exhibits A, B and C.** It shall be the responsibility of the parties to review and abide by all pretrial orders previously entered by the Court. The orders may be accessed through the CM/ECF system or the court's website at www.wvsc.uscourts.gov.

ENTER: November 8, 2018


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

Exhibit A

	CIVIL ACTION NO.	IMPLANT PLAINTIFF	CONSORTIUM PLAINTIFF
1	2:12-cv-00144	OGAS, GLORIA JEAN	
2	2:12-cv-03363	HARTMAN, TRACY	HARTMAN, RON
3	2:12-cv-04039	FEBUS, SANDRA LEE	
4	2:12-cv-04528	OWENS, EDITH	
5	2:12-cv-05620	MAYNARD, CONNIE CHRISTINE	
6	2:13-cv-00294	MCKINLEY, SHARON	
7	2:13-cv-07668	FELDER, ANNETTE	
8	2:13-cv-07902	HAMBY, BRIDGET	
9	2:13-cv-07907	BOWMAN, GLORIA	BOWMAN, SAM
10	2:13-cv-09079	FREIRE, ANGELINA	FREIRE, WILSON
11	2:13-cv-10975	FERRER, LUCIA M.	FERRER, RENE
12	2:13-cv-11940	GUNTER, MARTHA	
13	2:13-cv-13307	CUTSHAW, DONNA	
14	2:13-cv-15664	WHATLEY, NIPIE	
15	2:13-cv-18022	PRICE, JOYCE	
16	2:13-cv-19107	GILL, DEBORAH	GILL, SAMUEL
17	2:13-cv-19227	GAITHER, MITZI	
18	2:13-cv-19841	STUKAS, ADELE	MARTINEZ, RICHARD
19	2:13-cv-19988	MARTIN, LAURA	MARTIN, MITCHELL
20	2:13-cv-21175	YBARRA, CRUZ	
21	2:13-cv-21532	NEHLS, PURITY	SHAFFER, DARRELL
22	2:13-cv-24361	JAGHAMIN, PATRICIA	
23	2:13-cv-26448	COPE, PAULA ANN	
24	2:13-cv-27322	SMITH, CATHY	
25	2:13-cv-28364	STULL, LINDA M.	
26	2:13-cv-31217	MILLER, ALICE	
27	2:13-cv-31537	BOTELLO, DELLA MARIE	
28	2:13-cv-32625	BONACCI, REBECCA	
29	2:13-cv-32662	GRICE, WANDA	
30	2:14-cv-03520	MARBURGER, BARBARA	
31	2:14-cv-06312	HOLBROOK, VIRGINIA	
32	2:14-cv-07382	VINCENT, CHRISTAL	VINCENT, JOHN
33	2:14-cv-10684	BAGHVARDANI, FATOUMEH	
34	2:14-cv-17085	MEDINA MARQUEZ, GENOVEVA	
35	2:14-cv-18111	JOHNSON, JULIANNE	JOHNSON, WILLIAM
36	2:14-cv-21401	BRADSHAW, HELEN	
37	2:14-cv-22484	TYLER, PATRICIA	
38	2:15-cv-02997	CARAWAY, MARY SUE	
39	2:15-cv-03743	GOWAN, PAULA	RYAN, RICHARD
40	2:18-cv-00371	CRESPO (DIAZ), MAGALY	
41	2:18-cv-00549	JOHNSON, SANDRA	
42	2:18-cv-00918	SILVA, CARMEN	
43	2:18-cv-00919	NIKOLAI, LINDA	

44	2:18-cv-00920	JOHNSON, DOREEN	JOHNSON, KENNETH
45	2:18-cv-00925	PERKINS, JANET	
46	2:18-cv-01150	CONWAY, PAULA	CONWAY, EARL

EXHIBIT B

	CIVIL ACTION NO.	IMPLANT PLAINTIFF	CONSORTIUM PLAINTIFF
1	2:12-cv-08403	NOORDEH, CHERYL	NOORDEH, ARDY
2	2:13-cv-24013	LEHKY, ELSA	
3	2:14-cv-00502	KRYKEWYCZ, DENISE	KRYKEWYCZ, SR., ALEX
4	2:17-cv-01558	CLARK, KERRI ANN	
5	2:18-cv-00067	ARNDT, NANCY	ARNDT, LARRY
6	2:18-cv-00076	ROMAN, JIMENA	
7	2:18-cv-00498	SEILER, DONNA LYNN	
8	2:18-cv-01009	STANKOWICZ, CYNTHIA	STANKOWICZ, JR., RONALD
9	2:18-cv-01010	ZAVODNY, LYNN	
10	2:18-cv-01011	SHERRIN, LAURIE	SHERRIN, DALE
11	2:18-cv-01301	WRIGHT, VICKI	

EXHIBIT C

	CIVIL ACTION NO.	IMPLANT PLAINTIFF	CONSORTIUM PLAINTIFF
1	2:13-cv-07660	KEITH, TERESA	KEITH, RUSTY
2	2:13-cv-07661	SEMRAU, SALLY	SEMRAU, MICHAEL
3	2:13-cv-09198	LAWLER, ROXANNE	LAWLER, MICHAEL
4	2:13-cv-12295	GRIFFIS, ANGELA	GRIFFIS, SCOTT
5	2:13-cv-14270	DEBUQUE, MARITZA MEJIA	
6	2:13-cv-28349	CLARY, KAREN	CLARY, JOE
7	2:14-cv-10892	MCLEAN, SAMANTHA	MCLEAN, RICKY
8	2:15-cv-08703	GALSTER, SANDRA	GALSTER, GERARD
9	2:18-cv-00598	JOHNS, NANCY	
10	2:18-cv-00887	PAUL, DEANNE	